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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 FINNY EARL WALLACE,
12 Plaintiff,

No. CIV-S-03-0003 MCE/PAN P

13 v.

ORDER

14 D. K. BUTLER, ET AL.,
15 Defendants. _____
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, has filed
18 this civil rights action seeking relief under 42 U.S.C. § 1983.
19 The matter was referred to a United States Magistrate Judge
20 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No.
21 262.

22 On June 30, 2005, the magistrate judge filed findings and
23 recommendations herein which were served on plaintiff and which
24 contained notice to plaintiff that any objections to the findings
25 and recommendations were to be filed within twenty days.

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1 Plaintiff has filed objections to the findings and
2 recommendations.

3 The court has reviewed the file and finds the findings and
4 recommendations to be supported by the record and by the
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
6 that:

7 1. The findings and recommendations filed June 30, 2005,
8 are adopted in full; and

9 2. This action is dismissed for failure to state a claim
10 upon which relief could be granted.

11 DATE: September 7, 2005

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15 MORRISON C. ENGLAND, JR.
16 UNITED STATES DISTRICT JUDGE
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